GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3424
ANSWERED ON:18.12.2015
Registration under Clinical Establishment Act
Adsul Shri Anandrao ;Agrawal Shri Rajendra;Hari Shri G.;Shrirang Shri Chandu Barne;Yadav Shri Dharmendra

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Indian Medical Association (IMA) has demanded to exempt accredited hospitals from registration under the Clinical Establishments (Registration and Regulation) Act (CEA) and if so, the details thereof;

(b) whether Jan Swasthya Abhiyan (JSA) has opposed to any exemption of doctors or hospitals from licensing under the CEA and if so, the response of the Union Government thereon;

(c) whether the JSA has demanded a grievance redressal mechanism for patients in case of violation of the standards and punishment for any lapse and if so, the details thereof and the action taken by the Government thereon;

(d) whether the Government has taken note of the violations of the said act across the country including Uttar Pradesh; and

(e) if so, the details thereof indicating the number of such violations reported during each of the last three years and the current year, State/UT-wise and the corrective measures taken by the Government in this regard?

Answer

ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(SHRI JAGAT PRAKASH NADDA)
(a): The Indian Medical Association has, in its correspondence with the Department of Health and Family Welfare, stated that the objectives sought to be achieved by Clinical Establishment (Registration and Regulation) Act, 2010, can also be achieved by accreditation of such establishments by National Accreditation Board for Hospitals (NABH).
(b): Jan Swasthya Abhiyan (JSA) has opposed any exemption of doctors or hospitals from licensing under the CEA. Accreditation is a voluntary process and cannot be the basis for regulation. Only very few health care facilities have voluntarily applied for NABH accreditation so far. Besides, NABH accreditation is a costly process and increases the cost of healthcare for consumers. It is, however not a substitute for registration and regulation under the Clinical Establishment (Registration and Regulation) Act, 2010.

(c): Grievance redressal mechanisms form part of the Minimum Standards of the Clinical Establishments and it is the responsibility of the Clinical Establishments to provide such mechanisms in their establishments. The implementation of the provisions of the Clinical Establishments Act and Rules thereunder is the responsibility of the State Governments. However, many State Governments have not adopted the Act as yet.

(d) & (e): Health is a State Subject and as per the provisions of the Clinical Establishments Act, the State Government authorities namely District registering Authority at District level and State Council for Clinical Establishments at the State level are responsible for implementation and monitoring of the Act including taking corrective measures in case of violation of the Act. Data regarding such violations is, however, not compiled and maintained centrally.